

**EASTERN DISTRICT OF MICHIGAN  
UNITED STATES DISTRICT COURT**

ROBIN DECKER,  
Plaintiff,

Case No: 25-11085  
Hon. Judith E. Levy  
Mag: Judge Kimberly G. Altman

-vs-

MAC'S CONVENIENCE STORES, LLC.,  
Defendant.

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**PROPOSED JOINT RULE 26(f) DISCOVERY PLAN**

NOW COME the parties, by and through counsel, and file this Proposed Joint Rule 26(f) Discovery Plan pursuant to this Court's Order of June 2, 2025.

**I. SUMMARY OF ACTION AND PRINCIPAL FACTUAL AND LEGAL ISSUES**

**Plaintiff's Summary**

Plaintiff's complaint arises from a trip and fall incident that occurred on May 19, 2023, as she was entering Defendant's premises located at 1330 Monroe Street

in the Village of Carleton, County of Monroe, State of Michigan. Plaintiff alleges that she was legally and properly on Defendants premises and her relationship to Defendant was that of a business invitee. Plaintiff alleges that Defendant, and their employees or agents, negligently failed to exercise reasonable care to diminish the hazards created by potholes in the parking lot. In addition to a premises liability count, Plaintiff also alleges a count for negligence by their failure to take necessary precautions to avoid the creation of a dangerous condition. As a result of Defendant's conduct, Plaintiff suffered severe injuries to her right hand, back and right knee that necessitated significant medical treatment and led to economic damages including lost wages and medical expenses.

### **Defendants' Summary**

Plaintiff alleges that on or about May 19, 2023, she tripped and fell while entering the premises located at 1330 Monroe Street in the Village of Carleton, Monroe County, Michigan. According to the Complaint, Plaintiff claims she was lawfully on the premises as a business invitee. She further alleges that Defendant and/or its agents or employees failed to exercise reasonable care in maintaining the parking lot, including by allowing potholes to exist and failing to take steps to prevent or remedy the alleged condition. Plaintiff brings claims for premises liability and general negligence, and alleges she sustained injuries to her right hand, back, and right knee, which purportedly required medical treatment and resulted in

economic losses, including lost wages and medical expenses. Defendant denies liability and disputes the nature, extent, and cause of Plaintiff's alleged injuries and damages.

**II. BASIS FOR SUBJECT MATTER JURISDICTION**

28 U.S. Code § 1332 - Diversity of Citizenship

**III. RELATIONSHIP OF THIS CASE TO OTHER CASES**

At the time of this filing, there are no other related cases.

**IV. CONTEMPLATED AMENDMENTS(S) OF PLEADINGS TO ADD OR  
DELETE CLAIMS, DEFENSES OR PARTIES**

At the time of this filing, there are no contemplated amendments of pleadings.

**V. PROPOSED DISCOVERY**

The parties intend to engage in fact discovery, including written and deposition discovery, as well as expert witness discovery.

**VI. OUTSTANDING OR ANTICIPATED DISCOVERY ISSUES AND  
BASIS FOR ANY OBJECTION**

There are no outstanding discovery issues because discovery has not begun in this matter. The parties do not anticipate major discovery disputes. In the event of a discovery dispute, the parties will first attempt to resolve the dispute among themselves.

## **VII. ANTICIPATED MOTION PRACTICE**

Plaintiff does not anticipate any motion practice at this time.

Defendant anticipates filing a Motion for Summary Judgment at the conclusion of discovery.

## **VIII. DISCLOSURE OF AVAILABLE INSURANCE**

Defendant Mac's Convenience Stores LLC is self-insured, with a self-retention limit for general and product liability sufficient to cover the damages at issue in this matter.

## **IX. SETTLEMENT**

Plaintiff: No settlement demand issued.

Defendant: No settlement offer issued.

## **X. SUGGESTED CASE MANAGEMENT PLAN**

The parties propose seven months of fact discovery, followed by three months of expert witness discovery, to include the production of expert reports as required by Rule 26(a)(2) and any requested expert depositions. The parties propose the following schedule:

|                            |                          |
|----------------------------|--------------------------|
| <b>Initial Disclosures</b> | <b>July 26, 2025</b>     |
| <b>Lay Witness Lists</b>   | <b>November 26, 2025</b> |
| <b>Exhibit Lists</b>       | <b>November 26, 2025</b> |

|  |                         |
|--|-------------------------|
| <b>Discovery Cutoff</b>                              | <b>January 26, 2026</b> |
| <b>Expert Witness Disclosure (including reports)</b> | <b>April 26, 2026</b>   |
| <b>Expert Witness Discovery</b>                      | <b>July 26, 2026</b>    |
| <b>Alternative Dispute Resolution</b>                | <b>August 1, 2026</b>   |
| <b>Dispositive Motion Cutoff</b>                     | <b>August 26, 2026</b>  |
| <b>Joint Pretrial Order</b>                          | <b>September 2026</b>   |
| <b>Settlement Conference</b>                         | <b>September 2026</b>   |
| <b>Final Pretrial Conference</b>                     | <b>October 2026</b>     |
| <b>All other Motions</b>                             | <b>November 2026</b>    |
| <b>Jury Instructions</b>                             | <b>November 2026</b>    |
| <b>Trial Date</b>                                    | <b>December 2026</b>    |

Respectfully submitted,

**MIKE MORSE LAW FIRM**

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Dated: June 23, 2025

**CERTIFICATE OF SERVICE**

I Rima Najor, hereby certifies that a copy of Joint Rule 26(F) Discovery Plan was served upon all attorneys of record of all parties to the above cause of action via electronic e-filing the same to them at their respective addresses as disclosed by the pleadings herein on June 23, 2025.

/s/ Rima Najor  
**RIMA NAJOR**